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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

1 UNITED STATES OF AMERICA,)
2)
3 Plaintiff,)
4)
5 vs.)
6)
7 CALVIN LORENZO BELLOSO,)
8 ELMER EDUARDO RODRIGUEZ,)
9)
10 Defendant.)
11)

Case No.: 2:18-cr-00279-APG-GWF

**STIPULATION TO CONTINUE
MOTION DATES**

(Sixth Request)

17 **IT IS HEREBY STIPULATED AND AGREED**, by and between NICHOLAS A.
18 TRUTANICH, United States Attorney, and LINDA MOTT, Assistant United States
19 Attorney, counsel for the United States of America, PAUL RIDDLE, ESQ., counsel for
20 CALVIN LORENZO BELLOSO, and STEVEN M. ALTIG, ESQ., and MARCUS KENT
21 KOZAL, ESQ., co-counsel for ELMER EDUARDO RODRIGUEZ; that they shall have to
22 and including February 26, 2020, by the hour of 4:00 p.m., within which to file any and all
23 pretrial motions and notice of defense. Said pretrial motions and notice of defense are
24 currently scheduled to be filed on February 12, 2019.

25 **IT IS FURTHER STIPULATED AND AGREED**, by and between the parties, that
26 they shall have to and including March 19, 2020, by the hour of 4:00 p.m., within which

1 to file any and all responsive pleadings. Said pleadings are currently scheduled to be filed
2 on March 5, 2020.

3 **IT IS FURTHER STIPULATED AND AGREED**, by and between the parties, that
4 they shall have to and including March 26, 2020, by the hour of 4:00 p.m., within which
5 to file any and all replies to dispositive motions. Said pleadings are currently scheduled
6 to be filed on March 12, 2020.

8 This Stipulation is entered into for the following reasons:

9 1. That Defendants' Counsel need additional time to adequately prepare
10 for trial and discuss potential offers with the Defendants.

11 2. The parties agree to the continuance.

12 3. The Defendants are not incarcerated and do not object to the
13 continuance.

14 4. The additional time requested herein is not sought for purposes of delay,
15 but merely to allow Counsel for the defendants sufficient time within which to review the
16 file, and to complete investigation in order to effectively and thoroughly prepare and
17 submit for filing appropriate pretrial motions.

18 5. Denial of this request for continuance would deny Counsel for
19 Defendants sufficient time within which to be able to effectively and thoroughly research,
20 prepare and submit for filing appropriate pretrial motions and notices of defense, taking
21 into account the exercise of due diligence.

22 6. Additionally, denial of this request for continuance could result in a
23 miscarriage of justice.

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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

11 UNITED STATES OF AMERICA,)
12)
13 Plaintiff,)
14 vs.)
15 ELMER EDUARDO RODRIGUEZ,)
16 Defendant.)

Case No.: 2:18- cr-00279 - APG - GWF

**FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER**

(Sixth Request)

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore,
the Court finds that:

1. That Defendants' Counsel needs additional time to adequately prepare for trial and discuss potential offers with the Defendants
2. The parties agree to the continuance.
3. The Defendants are not incarcerated and do not object to the continuance.
4. The additional time requested herein is not sought for purposes of delay, but merely to allow Counsel for the defendants sufficient time within which to review the

file, and to complete investigation in order to effectively and thoroughly prepare and submit for filing appropriate pretrial motions.

5. Denial of this request for continuance would deny Counsel for Defendants sufficient time within which to be able to effectively and thoroughly research, prepare and submit for filing appropriate pretrial motions and notices of defense, taking into account the exercise of due diligence.

6. Additionally, denial of this request for continuance could result in a miscarriage of justice.

7. This is the sixth request to continue pretrial motion dates filed herein.

For all of the above stated reasons, the ends of justice would be best served by a continuance of the motion and trial dates.

CONCLUSIONS OF LAW

1. Denial of this request for continuance would deny the parties herein time and the opportunity within which to effectively, thoroughly research, prepare and submit for filing appropriate pretrial motions and notices of defense, taking into account the exercise of due diligence.

2. Additionally, denial of this request for continuance would result in a miscarriage of justice.

ORDER

IT IS THEREFORE ORDERED that the parties herein shall have to and including February 26, 2020, by the hour of 4:00 p.m., within which to file any and all pretrial motions and notice of defense.

IT IS FURTHER ORDERED that the parties shall have to and including March 19, 2020, by the hour of 4:00 p.m., within which to file any and all responsive pleadings.

1 **IT IS FURTHER ORDERED** that the parties shall have to and including March 26,
2 2020, by the hour of 4:00 p.m., within which to file any and all replies to dispositive
3 motions.

4 Dated: February 12, 2020.

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UNITED STATES DISTRICT JUDGE
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